

Attorney's Docket No.: 1103.40051X00

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSPORT LOGISTICS SYSTEMS AND METHODS

the specification of which

is attached hereto.

X was filed on July 27, 2001 as
United States Application Number 09/915,301
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits, under 35 U.S.C. 119(a)-(d) or 365(b), of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | | <u>Priority Claimed?</u> | |
|-------------------------------------|--------------------|--------------------------------|--------------------------|----|
| _____ (Number) | _____ (Country) | _____ (Foreign Filing Date) | Yes | No |
| _____ (Number) | _____ (Country) | _____ (Foreign Filing Date) | Yes | No |

I hereby claim the benefit, under 35 U.S.C. 119(e), of any United States provisional application(s) listed below:

| | |
|---|-------------------------------------|
| <u>60/221,541</u> (Application Number) | <u>July 28, 2000</u> Filing Date |
| _____ (Application Number) | _____ Filing Date |

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**OFFICE OF PETITIONS
DEPUTY A/C PATENTS**

I hereby claim the benefit, under 35 U.S.C. 120, of any United States application(s) listed below:

| | | |
|-------------------------------|----------------------|---|
| _____ (Application Number) | _____ Filing Date | _____ (Status -- patented, pending, abandoned) |
| _____ (Application Number) | _____ Filing Date | _____ (Status -- patented, pending, abandoned) |

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Robert M. Bauer, Reg. No. 34,487; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, and Noreen D. Warrick, Reg. No. 34,573 of the Dow Chemical Company, located at 1790 Building, Midland, Michigan 48641, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

Customer Number 020457
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street
Suite 1800
Arlington, VA 22209

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Direct all telephone calls and faxes to:

TEL: (703) 312-6600
FAX: (703) 312-6666

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Glenn E. Riggs
Inventor's Signature *Glenn E. Riggs* Date 10/25/01
Residence 28 Beardsley Road, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Second/Joint Inventor John H. Kivela
Inventor's Signature *John H. Kivela* Date 10/25/01
Residence 11 Timer Lane, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Third/Joint Inventor : Robert H. Shellman
Inventor's Signature *Robert H. Shellman* Date 11/06/01
Residence 935 Georges Hill Road, Southbury, CT 06488 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fourth/Joint Inventor: Joseph F. Rocky, Jr.
Inventor's Signature *Joseph F. Rocky Jr* Date 10/25/01
Residence: 24 Aramon Circle, Brookfield Center, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fifth/Joint Inventor Stanley M. Bainor

Inventor's Signature _____ Date _____
Residence 2115 Rolling Ridge, Midland, MI 48642 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Sixth/Joint Inventor Ralph K. Brechter

Inventor's Signature Ralph K Brechter Date 10/24/01
Residence: 13 Eastview Drive, New Fairfield, CT 06812 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Seventh/Joint Inventor: Douglas L. Clark

Inventor's Signature Douglas L. Clark Date 10-24-2001
Residence 26 Fox Ridge Drive, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Eighth/Joint Inventor: James R. Clark

Inventor's Signature _____ Date _____
Residence: 3928 E. Pine Hollow Drive, Midland, MI 48642 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

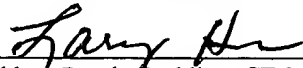
Full Name of Ninth/Joint Inventor: Jon L. Clow

Inventor's Signature Jon L. Clow Date 10/24/01
Residence: 31 Red Cedar Drive, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

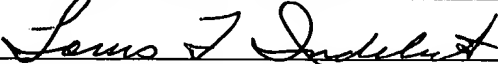
Full Name of Tenth/Joint Inventor Amy Daley

Inventor's Signature Amy Daley Date 10/24/01
Residence 329 Litchfield Road, Norfolk, CT 06058 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence


Full Name of Eleventh/Joint Inventor Larry Hu

Inventor's Signature  Date 10/24/01
Residence 47 Deacon Abbott Road, Redding, CT 06896 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence


Full Name of Twelfth/Joint Inventor Louis F. Indelicato

Inventor's Signature  Date 10/25/01
Residence One Ridgeview Terrace, Brookfield, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence


Full Name of Thirteenth/Joint Inventor William J. Lohan

Inventor's Signature  Date 10/25
Residence 72 North Lakeshore Drive, Brookfield, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence


Full Name of Fourteenth/Joint Inventor Michael M. Naughton

Inventor's Signature  Date 10/24/01
Residence 41 Findley Road, Marbledale, CT 06777 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

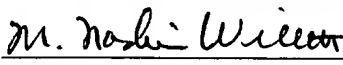
Full Name of Fifteenth/Joint Inventor Peter P. Nelson

Inventor's Signature  Date 10/24/01
Residence 13 Ox Drive, Brookfield Center, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

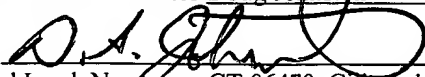
Full Name of Sixteenth/Joint Inventor Alan D. Shollenberger

Inventor's Signature  Date 10/25/01
Residence 63 Aunt Hack Road, Danbury, CT 06811 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Seventeenth/Joint Inventor Nadine M. Willett ^{mw} M. NADINE WILLET

Inventor's Signature  Date 10/25/01
Residence New Milford, CT Citizenship U.S.A.
(City, State) (Country)
Post Office Address P.O. Box 1776, New Milford, CT 06776 8911 MANAL LOOP #108, BRADENTON, FL
34202

Full Name of Eighteenth/Joint Inventor Doug Johnston

Inventor's Signature  Date 10/24/01
Residence 30 Ashford Land, Newtown, CT 06470 Citizenship U.S.A.
(City, State) (Country)
Post Office Address _____

Full Name of Nineteenth/Joint Inventor Donald H. Mueller

Inventor's Signature 

Date

10/25/01

Residence 23 Old Green Road, Sandy Hook, CT 06482

Citizenship U.S.A.

(City, State)

(Country)

Post Office Address Same as residence

Full Name of Twentieth/Joint Inventor Michael D. Michaud

Inventor's Signature _____

Date _____

Residence 2363 Mockingbird Lane, Midland, MI 48640

Citizenship U.S.A.

(City, State)

(Country)

Post Office Address _____

Full Name of Twenty First/Joint Inventor Robert Phaneuf

Inventor's Signature 

Date

10/25/01

Residence 77 Alberts Hill Road, Sandy Hook, CT 06485-2

Citizenship U.S.A.

(City, State)

(Country)

Post Office Address Same as residence

Full Name of Twenty Second/Joint Inventor Joseph J. Bainor

Inventor's Signature _____

Date _____

Residence 1512 Peppermill Circle, Midland, MI 48642

Citizenship U.S.A.

(City, State)

(Country)

Post Office Address _____

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Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

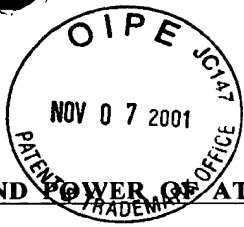
(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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|-------------------------------------|------------------|------------------------------|--------------------------|-----------|
| <u>(Number)</u> | <u>(Country)</u> | <u>(Foreign Filing Date)</u> | <u>Yes</u> | <u>No</u> |
| _____ | _____ | _____ | _____ | _____ |
| <u>(Number)</u> | <u>(Country)</u> | <u>(Foreign Filing Date)</u> | <u>Yes</u> | <u>No</u> |

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|-----------------------------|----------------------|
| <u>60/221,541</u> | <u>July 28, 2000</u> |
| <u>(Application Number)</u> | <u>Filing Date</u> |
| _____ | _____ |
| <u>(Application Number)</u> | <u>Filing Date</u> |

I hereby claim the benefit, under 35 U.S.C. 120, of any United States application(s) listed below:

| | | |
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| <u>(Application Number)</u> | <u>Filing Date</u> | <u>(Status -- patented, pending, abandoned)</u> |
| _____ | _____ | _____ |
| <u>(Application Number)</u> | <u>Filing Date</u> | <u>(Status -- patented, pending, abandoned)</u> |

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Robert M. Bauer, Reg. No. 34,487; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, and Noreen D. Warrick, Reg. No. 34,573 of the Dow Chemical Company, located at 1790 Building, Midland, Michigan 48641, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

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1300 North Seventeenth Street
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Arlington, VA 22209

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Full Name of Sole/First Inventor Glenn E. Riggs

Inventor's Signature _____ Date _____
Residence 28 Beardsley Road, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Second/Joint Inventor John H. Kivela

Inventor's Signature _____ Date _____
Residence 11 Timer Lane, New Milford, CT 06776 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Third/Joint Inventor : Robert H. Shellman

Inventor's Signature _____ Date _____
Residence 935 Georges Hill Road, Southbury, CT 06488 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fourth/Joint Inventor: Joseph F. Rocky, Jr.

Inventor's Signature _____ Date _____
Residence: 24 Aramon Circle, Brookfield Center, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fifth/Joint Inventor Stanley M. Bainor

Inventor's Signature 

Date 9/26/01

Residence 2115 Rolling Ridge, Midland, MI 48642
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Sixth/Joint Inventor Ralph K. Brechter

Inventor's Signature _____

Date _____

Residence: 13 Eastview Drive, New Fairfield, CT 06812
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Seventh/Joint Inventor: Douglas L. Clark

Inventor's Signature _____

Date _____

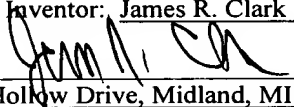
Residence 26 Fox Ridge Drive, New Milford, CT 06776
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Eighth/Joint Inventor: James R. Clark

Inventor's Signature 

Date 9/26/01

Residence: 3928 E. Pine Hollow Drive, Midland, MI 48642
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Ninth/Joint Inventor: Jon L. Clow

Inventor's Signature _____

Date _____

Residence: 31 Red Cedar Drive, New Milford, CT 06776
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Tenth/Joint Inventor Amy Daley

Inventor's Signature _____

Date _____

Residence 329 Litchfield Road, Norfolk, CT 06058
(City, State)

Citizenship U.S.A.

(Country)

Post Office Address Same as residence

Full Name of Eleventh/Joint Inventor Larry Hu

Inventor's Signature _____ Date _____
Residence 47 Deacon Abbott Road, Redding, CT 06896 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Twelfth/Joint Inventor Louis F. Indelicato

Inventor's Signature _____ Date _____
Residence One Ridgeview Terrace, Brookfield, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Thirteenth/Joint Inventor William J. Lohan

Inventor's Signature _____ Date _____
Residence 72 North Lakeshore Drive, Brookfield, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fourteenth/Joint Inventor Michael M. Naughton

Inventor's Signature _____ Date _____
Residence 41 Findley Road, Marbledale, CT 06777 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Fifteenth/Joint Inventor Peter P. Nelson

Inventor's Signature _____ Date _____
Residence 13 Ox Drive, Brookfield Center, CT 06804 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Sixteenth/Joint Inventor Alan D. Shollenberger

Inventor's Signature _____ Date _____
Residence 63 Aunt Hack Road, Danbury, CT 06811 Citizenship U.S.A.
(City, State) (Country)
Post Office Address Same as residence

Full Name of Seventeenth/Joint Inventor Nadine M. Willett

Inventor's Signature _____ Date _____
Residence New Milford, CT Citizenship U.S.A.
(City, State) (Country)
Post Office Address P.O. Box 1776, New Milford, CT 06776

Full Name of Eighteenth/Joint Inventor Doug Johnston

Inventor's Signature _____ Date _____
Residence 30 Ashford Land, Newtown, CT 06470 Citizenship U.S.A.
(City, State) (Country)
Post Office Address _____

Full Name of Nineteenth/Joint Inventor Donald H. Mueller

Inventor's Signature _____ Date _____

Residence 23 Old Green Road, Sandy Hook, CT 06482 Citizenship U.S.A.
(City, State) (Country)

Post Office Address Same as residence

Full Name of Twentieth/Joint Inventor Michael D. Michaud

Inventor's Signature Michael D. Michaud Date 9/26/01

Residence 2363 Mockingbird Lane, Midland, MI 48640 Citizenship U.S.A.
(City, State) (Country)

Post Office Address _____

Full Name of Twenty First/Joint Inventor Robert Phaneuf

Inventor's Signature _____ Date _____

Residence 77 Alberts Hill Road, Sandy Hook, CT 06488 Citizenship U.S.A.
(City, State) (Country)

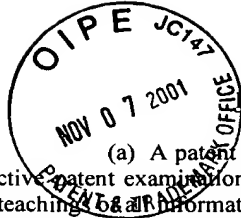
Post Office Address Same as residence

Full Name of Twenty Second/Joint Inventor Joseph J. Bainor

Inventor's Signature Joseph J. Bainor Date 9/26/2001

Residence 1512 Peppermill Circle, Midland, MI 48642 Citizenship U.S.A.
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Post Office Address _____



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(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

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(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.